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Notice of Allowability	Application No.	Applicant(s)	
	10/628,232	WEIGEL, MATTHEW J.	
	Examiner	Art Unit	
	Michael W. Talbot	3722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 19 May 2006.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the attorney of record, Mr. Leo J. Jennings, on Monday, 31 July 2006.

The application has been amended as follows:

Claims:

(1) claim 1, line 7, the phrase "for attachment to the tool" has been changed to read --for attachment to a tool-- to provide proper antecedent basis.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

Claims 1-22 are allowed.

Claims 1,11 and 16 are the independent claims.

3. Regarding claims 1,11 and 16, the prior art of record fails to anticipate or make obvious a valve disposed between a fluid supply and a socket of a chuck having an elastomeric seal ring disposed between a first sealing surface defined on a seal screw and a second sealing surface defined on a shank, solely or in combination, with a shank, the seal screw for modulating a preload tension, a spindle configured for attachment to a tool, a second sealing surface disposed on the shank, a spring disposed between the spindle and the shank configured to generate the preload tension.

Jensen '595 is the closest art of record.

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Jensen '595 shows in Figures 2 and 5 a valve (25), disposed between a fluid supply (via 94) and a socket (42) of a chuck, comprising a seal screw (30) having a first sealing surface (tapered head of 31) for modulating a preload tension and a second sealing surface (corresponding tapered surface of 32 at aperture 43) in opposing relation to first sealing surface. Jensen '595 shows the valve configured to form a seal in response to a force less than or equal to the preload tension being exerted in line with the seal screw and configured to allow the flow of fluid (100) between the first and second sealing surfaces in response to a force exceeding the preload tension being exerted in line with the seal screw (col. 5, line 57 through col. 6, line 45). Jensen '595 shows the valve further comprising a plurality in number and configuration of Belleville washers/disc springs (36) housed within a spring guide (bore in drive member 32), substantially equal to the outside diameter of the spring, to generate the desired preload tension.

Jensen '595 lacks the presence of "an elastomer seal ring disposed between the first sealing surface" disposed on the seal screw "and the second sealing surface" disposed on the shank as set forth in independent claims 1,11 and 16. Although it is well known to have "a seal member" to prevent debris or fluid from entering/existing, there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to so modify the teachings of Jensen '595, noting that in Hale '704, the only sealing performed is between the contact surfaces themselves, i.e. no external elastomeric sealing member is present at the specific claimed location. Thus, for at least the foregoing reasons, the prior art of record neither anticipates nor rendered obvious the present invention as set forth in independent claims 1,11 and 16.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

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issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning the content of this communication from the examiner should be directed to Michael W. Talbot, whose telephone number is 571-272-4481. The examiner's office hours are typically 8:30am until 5:00pm, Monday through Friday. The examiner's supervisor, Mrs. Monica S. Carter, may be reached at 571-272-4475.

In order to reduce pendency and avoid potential delays, group 3720 is encouraging FAXing of responses to Office Actions directly into the Group at FAX number 571-273-8300. This practice may be used for filling papers not requiring a fee. It may also be used for filing papers, which require a fee, by applicants who authorize charges to a USPTO deposit account.

Please identify Examiner Michael W. Talbot of Art Unit 3722 at the top of your cover sheet.



MWT
Examiner
31 July 2006


MONICA CARTER
SUPERVISORY PATENT EXAMINER